

Application No. 10/655,162
December 4, 2006

REMARKS/ARGUMENTS

Claims 21, 23, 31, 32, 37 and 40 are amended. Claims 21, 37 and 40 are amended to remove the phrase "50:50 or greater" and insert ranges of the softening point, acid number, Mw, Mn, and Gardner color of the resins produced from the claimed process. Support for these amendments is found at original Claim 11. Claims 23 and 31-32 were amended to specify claimed ranges of the rosin:terpene phenol resin weight ratios being reacted together in the claimed process. Support for these amendments is found at original Claims 4 and at pages 8-9 of the originally filed specification. No new matter is believed to be added to by the amendment above.

Claims 33-35 are cancelled and Claims 42-44 are added. Support for the new Claims is also found at original Claims 4 and at pages 8-9 of the originally filed specification. No new matter is believed to be added to by the new Claims.

Claims 21-32 and 36-44 are now pending. Favorable reconsideration is respectfully requested in light of the following remarks combined with the amendments above.

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At the outset, Applicants thank Examiner Zemel for her helpful explanations of the rejections and suggestions to overcome the same in the Office Action dated June 6, 2006. .

The rejections of Claim 21-22 and 25-41 under 35 USC §112, first paragraph, is believed to be obviated by the above-mentioned amendment. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejections of Claim 21-41 under 35 USC §102 and/or §103(a) over either of US 2,284,156 (US'156) and/or US 6,054,606 (US'606) and/or Hawley's Condensed Chemical Dictionary are believed to be obviated by the above amendment because none of the above mentioned references, in isolated or in combination, disclose or suggest a process for producing a resin by reacting rosin with a terpene-phenol resin in the presence of a Bronsted acid, where the produced resin has a softening point of from 115 to 150°C, an acid number from 10 to 85, a Mw of from 550 to 1400, a Mn of from 405 to 750, and a neat Gardner color of from 6 to 12.

In direct contrast thereto, the present invention relates, in part, to a resin and a process for producing a resin by reacting rosin with a terpene-phenol resin

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in the presence of a Bronsted acid where the produced resin has a softening point of from 115 to 150°C, an acid number from 10 to 85, a Mw of from 550 to 1400, a Mn of from 405 to 750, and a neat Gardner color of from 6 to 12.

In light of the above, no combination of US 2,284,156 (US'156) and/or US 6,054,606 (US'606) and/or Hawley's Condensed Chemical Dictionary together or standing alone disclose the all of the embodiments of the claimed invention. Therefore, no combination of US 2,284,156 (US'156) and/or US 6,054,606 (US'606) and/or Hawley's Condensed Chemical Dictionary together or standing alone can possibly support a prima facie case of obviousness, much less an anticipation rejection. Accordingly, withdrawal of these grounds of rejection is respectfully requested.

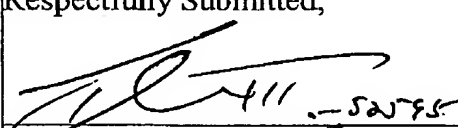
Applicants respectfully submit that the present application is now in condition for allowance. Favorable reconsideration is respectfully requested. Should anything further be required to place this application in condition for allowance, the Examiner is requested to contact below-signed by telephone.

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Please charge the amount of \$1020.00 required for the request for extension of time to our Deposit Account No. 09-0525. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 09-0525. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

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